

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

UNITED STATES OF AMERICA)
)
V.) CASE NO: 1:07-CR-211-MHT
)
JEFFREY L. HOLLAND)

UNOPPOSED MOTION TO CONTINUE TRIAL

COMES NOW the Defendant, **JEFFREY HOLLAND**, by undersigned counsel, and respectfully requests pursuant to 18 U.S.C. § 3161(h)(8)(A), that this Court continue this matter from the February 2008 trial dockets, to the next appropriate trial term at least 120 days from this date.

In support of this motion, the Defendant would show that such continuance will serve the ends of justice, in that failure to grant a continuance would deny counsel for the defendant or the attorney for the government the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(B)(iv).

In further support, the Defendant would show:

1. Additional time is needed to discuss resolution of this matter. However, Mr. Holland is due to begin, immediately, a course of chemotherapy and radiation for nasopharyngeal cancer. It is expected that this treatment will last at least seven weeks. Mr. Holland will need to be recovered from this treatment, before he can reasonably discuss resolution of this matter with his counsel.

2. The attorney for the government in this case, Matthew Shepherd, Esq., does not oppose this motion.

3. Denial of a continuance would likely make a continuation of these proceedings impossible, or result in a miscarriage of justice. See 18 U.S.C. § 3161(h)(8)(B)(i). Moreover, a period of delay granted pursuant to this request should be excluded in computing the time within

which the trial of this matter must be commenced. See 18 U.S.C. § 3161(h) (1) (I), § 3161(h)(2).

WHEREFORE, the defendant respectfully prays that this Motion be granted.

Respectfully submitted,

s/Christine A. Freeman
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CERTIFICATE OF SERVICE

I hereby certify that on January 7, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:
Matthew Shepherd, Esq., Assistant United States Attorney, One Court Square, Montgomery, AL 36104.

s/Christine A. Freeman
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